

Minutes

Meeting: Council on Coastal Futures

Place: Horry-Georgetown Tech – Grand Strand Campus
Myrtle Beach, SC

Date: April 4, 2003

Present:	William W. Jones, Jr., Chairman	Barrett Lawrimore
	William D. Baughman	Tom Leath
	Dana Beach	Rep. Dwight Loftis
	James S. Chandler, Jr.	John Miglarese
	Barbara Catenaci	John Settle
	Jesse Dove	Jack W. Shuler
	James Frazier	Mike Wooten
	Fred Holland	Ellison D. Smith, IV
	Hank Johnston	
	Sen. John Kuhn	

Absent: Paul G. Campbell, Jr.

Item I. Welcome

Chairman Jones called the meeting to order at 9:30 a.m. and asked the Secretary to call the roll. There were 18 members present, thus establishing a quorum.

Chairman Jones stated that the news media and concerned citizens were notified, as required by the State Freedom of Information Act, of the following scheduled meeting:

Council on Coastal Futures
9:30 a.m., April 4, 2003
Horry-Georgetown Tech, Myrtle Beach, South Carolina

Chairman Jones stated that the Council has, therefore, complied with the South Carolina Freedom of Information Act.

Item II. Public Comment

The public was invited to address the Council. Susan Libes spoke on the need to provide additional staff, and the need to address stormwater issues by providing more specific guidance on structural and nonstructural best management practices. State Representative Thad Viers was the next speaker. Rep. Viers spoke on the need for regulations to comply with the Administrative Procedures Act. He believes that OCRM has an assumed authority over isolated wetlands and he has questions about the authority supporting this program. He also spoke on the need for regulations to be balanced between the needs of development and conservation, and the need to improve communication.

Item III. Administrative Items

The Council discussed the desire of some groups to address the Council privately and/or anonymously. The consensus of the Council was that anonymous input was not a welcome form of communication. The Council is interested in getting as much public input as possible and urges anyone with an opinion or problem to come forward and make their concerns known. Mr. Frazier made a motion to allow the public to have input through one of three methods, those being (1) through signed, written comments; (2) contact with individual Council members; and (3) appearance in person at a Council meeting. After a second from Mr. Baughman, the motion carried.

Item IV. Stakeholder Presentations

Mr. Tony Cox with Burroughs & Chapin Company, Inc., made a presentation to the Council. He suggested the following recommendations. In the area of regulatory improvement he suggested: 1) coordinated approach; 2) necessary staffing/administration, 3) improved response time/customer service; 4) minimize red tape, and 5) coordination from SCDHEC. In the area of local government needs he suggested the Council consider 1) ocean/stormwater run-off, 2) septic systems/odors, 3) water supply, and 4) wetlands/ditches. He made recommendations in the area of policy issues for: 1) scientific determinations, 2) regional solutions, 3) use of P/E designations, 4) private property rights and 5) automatic stay. See the attached copy of his statement for details.

Mr. Joe Carter with Keystone Commercial Realty and the Historic Ricefield Association addressed the Council. Mr. Carter urged the Council to consider improving the regulatory process by recognizing that decisions made in the upstate also affect the coast. He suggested that staff moral needed to be addressed. He encouraged the formation of partnerships between public and private interests to achieve a balance between development and conservation. He recommended reinforcing the state's authority through new legislation, inventories of wetlands, licensing for consultants and addressing the issue of point source pollution. See attached outline.

Mr. Roger Grigg, President of Leonard, Grigg and Associates, a real estate development Company addressed the Council. Mr. Grigg presented the following reform suggestions to the Council: 1) would like to see offsite mitigation instead of onsite preservation for non-jurisdictional wetlands, 2) require SCDHEC-OCRM certify water and sewer permits for all counties in the state, 3) increase staff, 4) provide incentives for preserving valuable wetlands, and 5) have a written policy on wetland delineation. See attached outline.

General James Vaught was the next speaker to address the Council. General Vaught spoke to the group about land he owns in Horry County. He has been trying to develop the land, but has not been successful due to the wetlands on the property. After a discussion of the property it was determined that the resolution of the issue was tied into the permit for the Carolina Bays Parkway but rests with the SCDOT's decision to build an interchange on the property. SCDOT has not requested permits for this interchange and OCRM and other agencies can take no action without an application.

Raphe Jones, Managing Director of the South Carolina Council for Conflict Resolution, addressed the Council during their lunch break. Mr. Jones spoke on the subject of alternative dispute resolution. He explained how the process works and the benefits of the procedure. See attached handout.

Item V. Conflict/Mediation Recommendation

The Council then heard a presentation from OCRM Chief Counsel Leslie Stidham. Ms. Stidham spoke on the subject of mandatory mediation for resolution of conflicts between parties involved in a critical area permitting decision. She described the legislative steps necessary in order to make the implementation of the program possible. She distributed a page of information that is planned for distribution to parties involved in the mediation program. See attachment. After a lengthy discussion, the Council unanimously passed a motion to recommend a mandatory mediation program on all SCDHEC-OCRM permit appeals.

Item VI. Case Study Subcommittee Report

Jesse Dove reported on the list of case studies provided to the Council by Richard Chinnis. He asked the Council to review the list. The Subcommittee will make a presentation to the Council at the May 2nd meeting.

Item VII. Permitting Process Recommendations

David McNair distributed a list of permitting process recommendations (see attached) and asked the Council members to determine their top three priority items. After a lengthy discussion among the members of the Council a motion was passed to recommend 1) the mandatory mediation program previously discussed, 2) consolidation of OCRM permitting and EQC Section 401 Water Quality Certifications into one permitting process, and 3) establishment of firm timelines for permit processing.

Item IX. Next Steps – May 2 Meeting

The next meeting of the Council on Coastal Futures will be held on May 2, 2003, at the NOAA Coastal Services Center in Charleston. Chairman Jones requested that there be a presentation at the May meeting on the issue of the automatic stay provision and standing to appeal. Mayor Johnston and Dana Beach will report to the Council on the Quality of Life Task Force recommendations that are relevant to the issues being considered by the Council. The Chairman also requested a list of policy recommendations approved to date, a confirmation of public notice of the avenues of input for information presented to the Council, and a summary of the Memoranda of Agreement with other agencies.

Item IX. Questions and Closure

There being no further business the meeting adjourned at 4:30 p.m.

Janet M. Kruger
Secretary to the Council